

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
Asheville Division  
Case No. 1:21-cv-00115-MR**

**James Larkin Ketchersid Jr.,** )  
 )  
 **Plaintiff,** )  
 )  
 **v.** )  
 )  
 **Brett Murphy,** )  
 )  
 **Defendant.** )  
 \_\_\_\_\_ )

**NOTICE TO PLAINTIFF (NCPLS)**

The Court has directed the Clerk of Court to maintain management of this action and defendant(s) is/are in the process of being served with the Complaint. You are hereby notified that North Carolina Prisoner Legal Services, Inc. (“NCPLS”),<sup>1</sup> may be available to assist you in conducting discovery if ordered to do so by the Court at the appropriate time. If you accept NCPLS’s assistance, and if NCPLS accepts your case, NCPLS will serve discovery requests on defendant(s) on your behalf, collect the discovery responses, and provide you with a set of materials pertaining to your case. Additionally, NCPLS will report to the Court whether it is willing to represent you in this action beyond the discovery period.

You are not required to accept any assistance by NCPLS, and you can decide now that you do not want NCPLS to conduct discovery on your behalf or to represent you. However, there is no general right to court-appointed counsel in civil cases, and counsel is only appointed in exceptional cases.

Please fill out the enclosed form indicating whether you want NCPLS to assist you in conducting discovery, and return it to:

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<sup>1</sup> NCPLS is a non-profit legal services firm, contracted with the Office of Indigent Defense Services (“IDS”) to assist in providing inmates who are in the custody of the North Carolina Department of Public Safety, Division of Adult Correction with their constitutional right of meaningful access to the courts.

United States District Court  
Western District of North Carolina  
Clerk of Court  
Asheville

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You must sign, date, and return this form within twenty-one (21) days of the date of this Order. Your failure to return this form by that deadline may be construed as rejection of NCPLS's assistance, and the Court may not order NCPLS to conduct discovery on your behalf.

Signed: January 19, 2022

  
Frank G. Johns, Clerk  
United States District Court



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**PLAINTIFF'S RESPONSE  
TO NOTICE (NCPLS)**

I have read the "Notice to Plaintiff" informing me of NCPLS's availability to assist me in conducting discovery in ordered to do so by the Court at the appropriate time. I understand that, if I accept NCPLS's assistance, and NCPLS is able to accept my case, NCPLS will serve discovery requests on defendant(s) on my behalf, collect the discovery responses, provide me with a set of materials pertaining to my case, and report to the Court whether it is willing to represent me in this action beyond the discovery period. I further understand that there is no general right to court-appointed counsel in civil cases, and it is highly unlikely that the Court will appoint counsel for me.

Accordingly, I hereby

\_\_\_ ACCEPT the assistance of NCPLS during the discovery period and agree to allow NCPLS to conduct discovery on my behalf if ordered to do so by the Court.

\_\_\_ REJECT the assistance of NCPLS, including any legal representation in my case.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Plaintiff's Signature

\_\_\_\_\_  
Plaintiff's Printed Name